

House Bill 90

By: Representative Willard of the 51st

A BILL TO BE ENTITLED
AN ACT

1 To amend the Official Code of Georgia Annotated, so as to revise, modernize, correct errors
2 or omissions in, and reenact the statutory portion of said Code, as amended, in furtherance
3 of the work of the Code Revision Commission; to repeal portions of said Code, or Acts in
4 amendment thereof, which have become obsolete, have been declared to be unconstitutional,
5 or have been preempted or superseded by subsequent laws; to provide for other matters
6 relating to revision, reenactment, and publication of said Code; to provide for effect in event
7 of conflicts; to provide for an effective date; to repeal conflicting laws; and for other
8 purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 SECTION 1.

11 Reserved.

12 SECTION 2.

13 Reserved.

14 SECTION 3.

15 Reserved.

16 SECTION 4.

17 Reserved.

18 SECTION 5.

19 Reserved.

20 SECTION 6.

21 Reserved.

SECTION 7.

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Title 7 of the Official Code of Georgia Annotated, relating to banking and finance, is amended in:

- (1) Code Section 7-1-95, which is repealed, by designating said Code section as reserved.
- (2) Code Section 7-1-621, relating to definitions relative to interstate acquisitions of banks and bank holding companies, in subparagraph (A) of paragraph (4), by deleting "the Office of Thrift Supervision," which refers to an obsolete entity.
- (3) Code Section 7-1-650, relating to the powers of operation and regulation relative to credit unions, at the end of paragraph (9), by inserting "and".
- (4) Code Section 7-1-668, relating to the conversion of state and federal credit unions, at the end of paragraph (2) of subsection (b), by inserting "and".
- (5) Code Section 7-1-683.1, relating to locations for conduct of business, contracting with authorized agent, and requirements of an agent in the sale of payment instruments, in paragraph (5) of subsection (c), by replacing "but not limited," with "but not limited to,".
- (6) Code Section 7-1-685, relating to the expiration and renewal of licenses relative to the sale of payment instruments, at the end of the second sentence, by replacing "regulation" with "regulations".
- (7) Code Section 7-1-689, relating to record keeping, investigations and examinations by the Department of Banking and Finance, subpoenas, confidentiality, and limitations on civil liability, in paragraphs (1), (5), and (6) of subsection (l), by replacing "fax" with "facsimile".
- (8) Code Section 7-1-698, relating to the continuing effectiveness of existing licenses relative to the sale of checks and money orders, by replacing "Article 4 of Chapter 1 of this title" with "the former provisions of this article".
- (9) Code Section 7-1-706, relating to record keeping obligations, investigations and examinations by the department, examination fees, administration of oaths and issuing of subpoenas, confidentiality, and civil liability, in paragraphs (1) and (5) of subsection (l), by replacing "fax" with "facsimile".
- (10) Code Section 7-1-709.2, relating to the continuing effectiveness of existing licenses relative to the cashing of payment instruments, by replacing "Article 4 of Chapter 1 of this title" with "the former provisions of this article".
- (11) Code Section 7-1-1000, relating to definitions relative to licensing of mortgage lenders and mortgage brokers, in paragraph (11), by deleting "the Director of the Office of Thrift Supervision," which refers to an obsolete entity.
- (12) Code Section 7-1-1002, relating to the transaction of business without a license, registration, or exemption prohibited, knowing purchase of mortgage loan from unlicensed or nonexempt broker or lender prohibited, and liability of persons controlling violators, in subsection (a), in paragraph (2), by deleting "a person", in paragraph (3), by deleting "such

59 person" and by adding "or" at the end, in paragraph (4), by replacing "; or" with a period at
 60 the end, and in paragraph (5), by redesignating said paragraph as subsection (a.1) and in
 61 subsection (c), by replacing "subsection (a)" with "subsection (a), (a.1),".

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SECTION 8.

63 Title 8 of the Official Code of Georgia Annotated, relating to buildings and housing, is
 64 amended in:

65 (1) Code Section 8-2-24, relating to the appointment of an advisory committee,
 66 reimbursement of members for expenses, use of subcommittees, submittal of proposed
 67 amendments, modifications, and new provisions to committee and meeting times of
 68 committee relative to the Department of Community Affairs, in paragraph (1) of
 69 subsection (a), by replacing "Georgia Safety Fire Commissioner" with "Safety Fire
 70 Commissioner".

71 (2) Code Section 8-2-131, relating to definitions relative to manufactured homes, in
 72 paragraph (1), by replacing "Georgia Safety Fire Commissioner" with "Safety Fire
 73 Commissioner".

74 (3) Code Section 8-2-160, relating to definitions relative to installation of manufactured
 75 homes and mobile homes, in paragraph (1), by replacing "Georgia Safety Fire
 76 Commissioner" with "Safety Fire Commissioner".

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SECTION 9.

78 Title 9 of the Official Code of Georgia Annotated, relating to civil practice, is amended in:

79 (1) Code Section 9-11-124, relating to the form of motion for production of documents
 80 under Code Section 9-11-34, near the end of the form, by deleting the comma following
 81 "A.B.".

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SECTION 10.

83 Title 10 of the Official Code of Georgia Annotated, relating to commerce and trade, is
 84 amended in:

85 (1) Code Section 10-5-30, relating to registration requirements for broker-dealers and
 86 exemptions, in paragraph (2) of subsection (b), by replacing "the Federal Deposit Insurance
 87 Corporation, or the Office of Thrift Supervision" with "or the Federal Deposit Insurance
 88 Corporation", as the Office of Thrift Supervision is an obsolete entity.

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SECTION 11.

90 Reserved.

91 **SECTION 12.**

92 Title 12 of the Official Code of Georgia Annotated, relating to conservation and natural
93 resources, is amended in:

94 (1) Code Section 12-2-8, relating to promulgation of minimum standards and procedures for
95 protection of natural resources, environment, and vital areas of state and stream and reservoir
96 buffers, at the end of subparagraphs (g)(1)(A) and (g)(2)(B), by deleting "and".

97 (2) Code Section 12-5-546.2, relating to the notification in advance of any state funded
98 augmentation projects relative to the Flint River, in subsection (c), by replacing "board of
99 natural resources" with "board".

100 **SECTION 13.**

101 Reserved.

102 **SECTION 14.**

103 Title 14 of the Official Code of Georgia Annotated, relating to corporations, partnerships,
104 and associations, is amended in:

105 (1) Code Section 14-5-5, which is repealed, by designating said Code section as reserved.

106 (2) Code Section 14-5-10, which is repealed, by designating said Code section as reserved.

107 **SECTION 15.**

108 Title 15 of the Official Code of Georgia Annotated, relating to courts, is amended in:

109 (1) Code Section 15-1-16, relating to mental health court divisions, by redesignating
110 paragraph (10) of subsection (b) as new paragraph (3) of subsection (a) and in such newly
111 redesignated paragraph, by replacing "As used in this Code section, the term 'risk and needs
112 assessment'" with "'Risk and needs assessment'".

113 (2) Code Section 15-6-28.1, which is reserved, by designating said Code section as repealed.

114 (3) Code Section 15-6-88.2, relating to the monthly contingent expense allowance schedule
115 for the operation of the office of clerk of the superior court, in the right-hand column of the
116 schedule heading, by replacing "Expense" with "Expenses".

117 (4) Code Section 15-9-64.1, relating to the monthly contingent expense allowance schedule
118 for the operation of the office of judge of the probate court, in the right-hand column of the
119 schedule heading, by replacing "Expense" with "Expenses".

120 (5) Code Section 15-10-23.1, relating to the monthly contingent expense allowance for the
121 operation of the office of magistrate court, in the right-hand column of the schedule heading,
122 by replacing "Expense" with "Expenses".

123 (6) Code Section 15-10-54, relating to the use of personally identifiable data in court
124 documentation and redaction relative to civil proceedings in the magistrate court, at the end

125 of the introductory paragraph of subsection (a), by replacing "birth date" with "birth date
126 shall include only".

127 (7) Code Section 15-10-105.2, relating to the monthly contingent expense allowance for the
128 operation of the office of magistrate court, in the right-hand column of the schedule heading,
129 by replacing "Expense" with "Expenses".

130 (8) Code Section 15-11-481, relating to victim impact statement in delinquency proceedings,
131 in subsection (f), by replacing "subsection (b)" with "subsection (d)" both times the term
132 appears.

133 (9) Code Section 15-16-20.2, relating to the monthly contingent expense allowance for the
134 operation of the sheriff's office, in the right-hand column of the schedule heading, by
135 replacing "Expense" with "Expenses".

136 **SECTION 16.**

137 Title 16 of the Official Code of Georgia Annotated, relating to crimes and offenses, is
138 amended in:

139 (1) Code Section 16-8-14.1, relating to refund fraud, in subsection (c), at the end of
140 paragraph (1), by replacing the semicolon with a period and at the end of paragraph (2), by
141 replacing "; and" with a period.

142 (2) Code Section 16-11-90, relating to the prohibition on nude or sexually explicit electronic
143 transmissions, in subsection (e), at the end of paragraph (4), by deleting "or" and at the
144 beginning of paragraph (6), by replacing "The transmission is" with "A transmission that is".

145 (3) Code Section 16-11-127.1, relating to carrying weapons within school safety zones, at
146 school functions, or on a bus or other transportation furnished by a school, in paragraph (1)
147 of subsection (b), by replacing "within a school safety zone or at a school function" with
148 "within a school safety zone, at a school function".

149 (4) Code Section 16-11-138, relating to defense of self or others as an absolute defense
150 relative to the carrying and possession of firearms, by replacing "Title 16" with "this title".

151 (5) Code Section 16-11-160, relating to the use of machine guns, sawed-off rifles, sawed-off
152 shotguns, or firearms with silencers during the commission of certain offenses and enhanced
153 criminal penalties, in paragraph (1) of subsection (a), by replacing "or a firearm" with "or
154 firearm".

155 (6) Code Section 16-11-171, relating to definitions relative to the Brady law regulations, at
156 the end of paragraph (2), by deleting ", or Chapter 16 of Title 43."

157 (7) Code Section 16-12-129, relating to defense of self or others as an absolute defense to
158 any violation under the "Transportation Passenger Safety Act," by replacing "Title 16" with
159 "this title".

160 (8) Code Section 16-13-21, relating to definitions relative to the "Georgia Controlled
 161 Substances Act," in the introductory language of paragraph (10), by inserting a comma
 162 following "United States", in paragraph (23), subparagraphs (A) and (B), by replacing "or
 163 to administer" with "or administer" and subparagraphs (C) and (D), by replacing "federal
 164 Drug Enforcement Administration" with "DEA", and in paragraph (26.1), by replacing
 165 "Federal" with "federal".

166 (9) Code Section 16-13-29, relating to Schedule V controlled substances under the "Georgia
 167 Controlled Substances Act," in paragraph (5), by deleting "(OTC)", by replacing "U.S. Drug
 168 Enforcement Administration (DEA)" with "DEA", and by replacing "recordkeeping" with
 169 "record keeping".

170 (10) Code Section 16-13-31, relating to trafficking in cocaine, illegal drugs, marijuana, or
 171 methamphetamine and penalties, in division (g)(2)(D)(ii), by deleting the second extraneous
 172 quotation mark after "Firearm".

173 (11) Code Section 16-13-31.1, relating to trafficking in ecstasy, sentencing, and variation,
 174 in the introductory language of paragraph (4) of subsection (b), by replacing "paragraph"
 175 with "subsection".

176 (12) Code Section 16-13-71, relating to the definition of a "dangerous drug," in
 177 paragraphs (512.5) and (671) of subsection (b), by replacing "see" with "See" and in
 178 paragraph (8) of subsection (e), by replacing "Federal" with "federal".

179 (13) Code Section 16-14-3, relating to definitions relative to the "Georgia RICO (Racketeer
 180 Influenced and Corrupt Organizations) Act," by deleting paragraph (5), as such definition is
 181 not used in Chapter 14, and redesignating current paragraphs (6) through (12) as new
 182 paragraphs (5) through (11).

183 **SECTION 17.**

184 Title 17 of the Official Code of Georgia Annotated, relating to criminal procedure, is
 185 amended in:

186 (1) Code Section 17-5-52.1, relating to disposal of forfeited or abandoned firearms, innocent
 187 owners, auctions, record keeping, and liability of government entities, in paragraphs (1)
 188 and (2) of subsection (d), by deleting ", and Chapter 16 of Title 43 and who are authorized
 189 to receive such firearms under the terms of such license."

190 (2) Code Section 17-10-1, relating to the fixing of a sentence, suspension or probation of
 191 sentence, change in sentence, eligibility for parole, prohibited modifications, and exceptions,
 192 in subsection (d), by inserting "of subsection (a)" following "paragraph (2)".

193 **SECTION 18.**

194 Title 18 of the Official Code of Georgia Annotated, relating to debtor and creditor, is
195 amended in:

196 (1) Code Section 18-5-3, relating to exemption for debt adjustment by certain individuals
197 or entities, by deleting "the Office of Thrift Supervision," which refers to an obsolete entity.

198 **SECTION 19.**

199 Reserved.

200 **SECTION 20.**

201 Title 20 of the Official Code of Georgia Annotated, relating to education, is amended in:

202 (1) Code Section 20-2-182, relating to program weights to reflect funds for payment of
203 salaries and benefits, maximum class size, reporting requirements, and application to specific
204 school years, in subsection (h), by deleting "pursuant to Code Section 20-2-232", as such
205 reference is obsolete.

206 (2) Code Section 20-2-200, relating to regulation of certificated professional personnel by
207 the Professional Standards Commission, rules and regulations, and fees, in paragraphs (2)
208 and (3) of subsection (b), by replacing "course work" with "coursework".

209 (3) Code Section 20-2-217, relating to professional and staff development stipends relative
210 to the State Board of Education, by deleting "required under Code Section 20-2-232", as such
211 reference is obsolete.

212 (4) Code Section 20-2-320, relating to the Education Information Steering Committee,
213 identification of data to implement the Quality Basic Education Program, and a state-wide
214 comprehensive educational information network, in subsection (c), by replacing "the House
215 Budget and Research Office; the House Research Office; and the Senate Research Office"
216 with "and the House Budget and Research Office" and by replacing "Appropriation
217 Committees" with "Appropriations Committees".

218 (5) Code Section 20-2-327, relating to recognition of advanced proficiency/honors courses
219 and counseling and development of individual graduation plans, in paragraph (2) of
220 subsection (a), by replacing "course work" with "coursework".

221 (6) Code Section 20-3-45.1, relating to the powers and duties of the Georgia Historical
222 Records Advisory Council, in paragraph (10), by replacing "this article" with "this part" each
223 time the term appears.

224 (7) Code Section 20-3-47.1, relating to the Division of Archives and History of the
225 University System of Georgia as administrator of surplus state books, by replacing "this
226 article" with "this part".

227 (8) Code Section 20-3-519, relating to definitions relative to HOPE scholarships and grants,
 228 in paragraphs (26.1) and (27), by replacing "student that" with "student who" each time the
 229 term appears.

230 (9) Code Section 20-3-519.5, relating to student eligibility requirements for a HOPE grant,
 231 in paragraph (1) of subsection (a), by replacing "towards" with "toward" and in
 232 subsection (c), by replacing "course work" with "coursework".

233 **SECTION 21.**

234 Reserved.

235 **SECTION 22.**

236 Reserved.

237 **SECTION 23.**

238 Reserved.

239 **SECTION 24.**

240 Reserved.

241 **SECTION 25.**

242 Title 25 of the Official Code of Georgia Annotated, relating to fire protection and safety, is
 243 amended in:

244 (1) Code Section 25-2-6, relating to the state fire marshal as head of the Safety Fire
 245 Division, by replacing "office of Commissioner" with "office of the Commissioner".

246 (2) Code Section 25-2-12, relating to the adoption of state fire safety standards and
 247 enforcement, investigations, excuse from compliance with standards, and interpretation of
 248 standards and granting variances therefrom by the Commissioner of Insurance, at the end of
 249 subsection (b), by replacing "subsection (a) of Code Section 25-2-12" with "subsection (a)
 250 of this Code section".

251 (3) Code Section 25-2-32, relating to the maintenance of records of fire losses, reports of
 252 losses by insurance companies, and reports of fires under provisions of the regulation of fire
 253 and other hazards to persons and property generally, in subsection (b), by replacing "office
 254 of the Safety Fire Commissioner" with "office of Safety Fire Commissioner".

255 (4) Code Section 25-2-40, relating to the requirement of smoke detectors in new dwellings
 256 and dwelling units and exceptions, in subsection (h), by replacing "office of the Safety Fire
 257 Commissioner" with "office of Safety Fire Commissioner".

258 (5) Code Section 25-3-24, relating to the authority of the executive director of the Georgia
 259 Firefighter Standards and Training Council to determine compliance of minimum
 260 requirements by local fire departments generally, by replacing "Georgia Forestry
 261 Commission" with "State Forestry Commission".

262 (6) Code Section 25-4-3, relating to the Georgia Firefighter Standards and Training Council
 263 and its establishment and organization, advisory committee, and expenses and allowances,
 264 in the introductory language of subsection (a), by replacing "eleven" with "11".

265 (7) Code Section 25-9-6, relating to the prerequisites to blasting or excavating and the
 266 marking of sites near utility facilities, in the introductory language of subsection (a), by
 267 replacing "facilities are either" with "facilities either are" and in subsection (b), by replacing
 268 "so as to not to obstruct signs" with "so as not to obstruct signs".

269 (8) Code Section 25-9-13, relating to penalties for violations under the "Georgia Utility
 270 Facility Protection Act," bonds, enforcement, advisory committee, and dispose of settlement
 271 recommendations, in the introductory language of subsection (a), by replacing "subsections"
 272 with "subsection".

273 (9) Code Section 25-11-8, relating to the requirement that installation, repair, or other work
 274 be performed or supervised by a certificate holder, in subsection (g), by replacing "Office of
 275 the Commissioner of Insurance" with "office of the Commissioner of Insurance".

276

SECTION 26.

277 Title 26 of the Official Code of Georgia Annotated, relating to food, drugs, and cosmetics,
 278 is amended in:

279 (1) Code Section 26-2-4, relating to the labeling, sale, or advertising of spring water, in
 280 subsection (a), by replacing "provided, however, water" with "provided, however, that
 281 water".

282 (2) Code Section 26-2-231, relating to definitions relative to milk and milk products, by
 283 revising paragraphs (1) through (8) of subsection (b) as follows:

284 "(1) 'Grade A buttermilk' ~~'Raw cow's milk'~~;

285 (2) 'Grade A chocolate milk' ~~'Grade A whole milk'~~;

286 (3) 'Grade A milk, pasteurized';

287 (4) 'Grade A modified solids milk' ~~'Grade A skim milk'~~;

288 (5) 'Grade A skim milk' ~~'Grade A buttermilk'~~;

289 (6) 'Grade A whole milk' ~~'Grade A chocolate milk'~~;

290 (7) 'Pasteurization' ~~'Grade A modified solids milk'~~; and

291 (8) 'Raw cow's milk.' ~~'Pasteurization.'~~".

292 (3) Code Section 26-2-249, relating to unlawful acts relative to milk and milk products, at
 293 the end of paragraph (11), by inserting "or".

294 (4) Code Section 26-2-261, relating to classification of eggs, at the end of paragraph (1) of
295 subsection (a), by inserting "and".

296 (5) Code Section 26-2-296, relating to duties of the Commissioner of Agriculture, at the end
297 of paragraph (1) of subsection (a), by replacing the period with "; and".

298 (6) Code Section 26-3-8, relating to when a drug or device is deemed misbranded, at the end
299 of paragraph (10), by inserting "or".

300 (7) Code Section 26-4-5, relating to definitions relative to pharmacists and pharmacies, in
301 paragraph (9), by replacing "eoasimilar" with "similar".

302 (8) Code Section 26-4-21, relating to the eligibility requirements for members of the Georgia
303 State Board of Pharmacy and their oath of office, in subsection (c), by replacing "Office of
304 the Governor" with "office of the Governor" both times those terms appear.

305 **SECTION 27.**

306 Title 27 of the Official Code of Georgia Annotated, relating to game and fish, is amended in:

307 (1) Code Section 27-2-3.1, relating to hunting licenses, sportsman's license, license card
308 carrier requirements, and creation of lifetime sportsman's licenses, by deleting reserved
309 subsections (a) and (b) and redesignating current subsections (c) through (j) as new
310 subsections (a) through (h), respectively.

311 (2) Code Section 27-2-30, relating to the establishment of the Wildlife Endowment Fund and
312 limitations on expenditures from the fund, in subsection (b), by replacing "subsection (f)"
313 with "subsection (d)".

314 **SECTION 28.**

315 Title 28 of the Official Code of Georgia Annotated, relating to the General Assembly, is
316 amended in:

317 (1) Code Section 28-9-5, relating to publication of the Official Code of Georgia Annotated,
318 authority of the Code Revision Commission to make corrections and editorial changes, effect
319 of changes, treatment of multiple amendments enacted at the same session, duty to prepare
320 and have introduced legislation reenacting and correcting the Code, and effect of reenacting
321 the Code, in subsection (b), by replacing "the order in which bills became law" with "the
322 order in which bills became Acts" and in subsection (c), by replacing "Except as otherwise
323 provided by law," with "Except as otherwise provided by general law,".

324 **SECTION 29.**

325 Reserved.

326 **SECTION 30.**

327 Reserved.

328 **SECTION 31.**

329 Reserved.

330 **SECTION 32.**

331 Reserved.

332 **SECTION 33.**

333 Title 33 of the Official Code of Georgia Annotated, relating to insurance, is amended in:

334 (1) Code Section 33-8-8.3, relating to the funding of services, or the reduction of ad valorem
335 taxes, in unincorporated areas of counties and the powers and duties of a governing authority,
336 at the end of subparagraph (a)(1)(D), by inserting "and".

337 (2) Code Section 33-23-43, relating to the authority of insurance adjusters and penalty for
338 violation, in the introductory language of paragraph (4) of subsection (c), by replacing
339 "subsection" with "paragraph".

340 (3) Code Section 33-23-43.1, relating to the requirements for public insurance adjuster
341 contracts, at the beginning of the introductory language of subsection (a), by replacing
342 "Requirements for public adjusters" with "Public adjusters".

343 (4) Code Section 33-24-44, relating to cancellation of insurance policies generally, in
344 subsection (b), by replacing "Code Section 33-24-14 in person" with "Code Section
345 33-24-14, in person," and by replacing "United States mails" with "United States mail" and
346 in subsection (e), by replacing "United States mails" with "United States mail".

347 (5) Code Section 33-24-44.1, relating to procedure for cancellation of insurance policy by
348 insured and notice, in subsection (b), by replacing "Code Section 33-24-14 in person" with
349 "Code Section 33-24-14, in person,".

350 (6) Code Section 33-24-45, relating to the cancellation or nonrenewal of automobile or
351 motorcycle insurance policies and procedure for review by the Commissioner of Insurance,
352 in paragraph (1) of subsection (e) and in subsection (m), by replacing "Code Section
353 33-24-14 in person" with "Code Section 33-24-14, in person," and by replacing "United
354 States mails" with "United States mail".

355 (7) Code Section 33-24-46, relating to the cancellation or nonrenewal of certain property
356 insurance policies, in subsections (d) and (h), by replacing "Code Section 33-24-14 in
357 person" with "Code Section 33-24-14, in person," and by replacing "United States mails"
358 with "United States mail".

359 (8) Code Section 33-24-47, relating to notice required of termination or nonrenewal,
 360 increase in premium rates, or change restricting coverage and failure of insurer to comply,
 361 in subsection (b), by replacing "Code Section 33-24-14 in person" with "Code Section
 362 33-24-14, in person," and in subsection (f), by replacing "Code Section 33-24-14 by" with
 363 "Code Section 33-24-14 or by".

364 (9) Code Section 33-24-47.1, relating to the notice prior to cancellation or nonrenewal of an
 365 individual or group accident and sickness insurance policy, in subsection (b), by replacing
 366 "United States mails" with "United States mail".

367 (10) Code Section 33-30-13, relating to notices of premium increases to be mailed or
 368 delivered to group insurance policyholder and notification of impact of federal Patient
 369 Protection and Affordable Care Act, in subsections (b) and (c), by redesignating current
 370 subsection (c) as new subsection (b), as current subsection (b) was repealed on December 31,
 371 2014.

372 (11) Code Section 33-45-1, relating to definitions relative to continuing care providers and
 373 insurance facilities, by redesignating current paragraph (12) as new paragraph (13) and by
 374 redesignating current paragraph (13) as new paragraph (12), respectively, and reordering
 375 such paragraphs so as to put definitions in alphabetical order.

376 **SECTION 34.**

377 Reserved.

378 **SECTION 35.**

379 Reserved.

380 **SECTION 36.**

381 Reserved.

382 **SECTION 37.**

383 Title 37 of the Official Code of Georgia Annotated, relating to mental health, is amended in:

384 (1) Code Section 37-2-6.1, relating to community service boards and the executive director,
 385 staff, budget, and facilities, powers and duties, and exemption from state and local taxation,
 386 by redesignating current paragraph (1) of subsection (a) as new subsection (a.1).

387 (2) Code Section 37-4-40.1, which is reserved, by designating said Code section as repealed.

388 (3) Code Section 37-4-40.2, which is reserved, by designating said Code section as repealed.

389 (4) Code Section 37-4-40.3, which is reserved, by designating said Code section as repealed.

390 (5) Code Section 37-4-40.4, which is reserved, by designating said Code section as repealed.

391 (6) Code Section 37-4-40.5, which is reserved, by designating said Code section as repealed.

392 **SECTION 38.**

393 Reserved.

394 **SECTION 39.**

395 Title 39 of the Official Code of Georgia Annotated, relating to minors, is amended in:

396 (1) Code Section 39-2-10, which is repealed, by designating said Code section as reserved.

397 **SECTION 40.**

398 Title 40 of the Official Code of Georgia Annotated, relating to motor vehicles and traffic, is
399 amended in:

400 (1) Code Section 40-1-1, relating to definitions relative to motor vehicles and traffic, by
401 redesignating current paragraphs (15.3), (15.5), and (15.6) as new paragraphs (15.1), (15.2),
402 and (15.3), respectively.

403 (2) Code Section 40-5-81, relating to program optional and certification and approval of
404 courses relative to restoration of licenses, at the end of subsection (a), by adding a period.

405 **SECTION 41.**

406 Title 41 of the Official Code of Georgia Annotated, relating to nuisances, is amended in:

407 (1) Code Section 41-2-6, which is repealed, by designating said Code section as reserved.

408 **SECTION 42.**

409 Title 42 of the Official Code of Georgia Annotated, relating to penal institutions, is amended
410 in:

411 (1) Code Section 42-8-112, relating to timing for issuance of ignition interlock device
412 limited driving permit, documentation required, and reporting requirement, in
413 subparagraph (b)(2)(A), by replacing "permit" with "probationary license".

414 **SECTION 43.**

415 Title 43 of the Official Code of Georgia Annotated, relating to professions and businesses,
416 is amended in:

417 (1) Code Section 43-3-6, relating to the duties of executive director serving as the chief
418 executive officer of the Georgia State Board of Accountancy, at the end of paragraph (5) of
419 subsection (a), by replacing the period with a semicolon.

420 (2) Code Section 43-10A-13, relating to requirements for licensure in marriage and family
421 therapy, in paragraph (1) of subsection (a) and in subparagraphs (a)(2)(B) and (a)(2)(C), by
422 replacing "course work" with "coursework".

423 (3) Code Section 43-14-6, relating to powers and duties of divisions relative to electrical
424 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility
425 contractors, in subparagraph (a)(4)(G), by replacing "conditioned air work" with
426 "conditioned air contracting" each time the term appears.

427 (4) Code Section 43-14-13, relating to applicability of chapter relative to electrical
428 contractors, plumbers, conditioned air contractors, low-voltage contractors, and utility
429 contractors, in subsection (j), by replacing "conditioned air work" with "conditioned air
430 contracting".

431 (5) Code Section 43-26-53, relating to reportable incidents relative to mandatory reporting
432 requirements for nurses, in subsection (b), by replacing "applicable board" with "board" each
433 time the term appears.

434 **SECTION 44.**

435 Title 44 of the Official Code of Georgia Annotated, relating to property, is amended in:

436 (1) Code Section 44-14-65, which is repealed, by designating said Code section as reserved.

437 **SECTION 45.**

438 Reserved.

439 **SECTION 46.**

440 Title 46 of the Official Code of Georgia Annotated, relating to public utilities and public
441 transportation, is amended in:

442 (1) Code Section 46-5-1, relating to exercise of power of eminent domain by telephone
443 companies, placement of posts and other fixtures, regulation of construction of fixtures,
444 posts, and wires near railroad tracks, liability of telephone companies for damages, required
445 information, and due compensation, in subparagraph (b)(9)(I), by replacing "32.5320" with
446 "32.5230".

447 **SECTION 47.**

448 Reserved.

449 **SECTION 48.**

450 Title 48 of the Official Code of Georgia Annotated, relating to revenue and taxation, is
451 amended in:

452 (1) Code Section 48-5C-1, relating to definitions, exemption from taxation, allocation and
453 disbursement of proceeds collected by tag agents, fair market value of vehicle appealable,

454 and report relative to alternative ad valorem tax on motor vehicles, in
455 subparagraph (d)(15)(D), by replacing "this title" with "Title 40".

456 (2) Code Section 48-8-2, relating to definitions relative to state sales and use tax, in
457 paragraph (30.1), which is repealed, by deleting said paragraph designation; at the beginning
458 of the second and third sentences of paragraph (37), by deleting the quotation marks around
459 "Tangible personal property"; in the second sentence of the introductory text of
460 paragraph (39), by deleting the quotation marks around "telecommunications service" and
461 at the beginning of the third sentence, by deleting the quotation marks around
462 "Telecommunications service"; and at the beginning of the second sentence of
463 paragraph (43), by deleting the quotation marks around "Voice mail service".

464 **SECTION 49.**

465 Title 49 of the Official Code of Georgia Annotated, relating to social services, is amended
466 in:

467 (1) Code Section 49-4-6, relating to reserves, income, and resources to be disregarded
468 relative to public assistance, by deleting subsection (b), which contains obsolete references,
469 and redesignating current subsection (c) as new subsection (b).

470 **SECTION 50.**

471 Reserved.

472 **SECTION 51.**

473 Reserved.

474 **SECTION 52.**

475 Reserved.

476 **SECTION 53.**

477 Title 53 of the Official Code of Georgia Annotated, relating to wills, trusts, and
478 administration of estates, is amended in:

479 (1) Code Section 53-11-11, relating to authentication or exemplification of document to be
480 filed in the probate court, by replacing "Code Section 24-7-922" with "Code Section
481 24-9-922".

482 **SECTION 54.**

483 (a) Except for Title 47, the text of Code sections and title, chapter, article, part, subpart,
484 Code section, subsection, paragraph, subparagraph, division, and subdivision numbers and

485 designations as contained in the Official Code of Georgia Annotated published under
486 authority of the state by The Michie Company in 1982 and contained in Volumes 3
487 through 40 of such publication or replacement volumes thereto, as amended by the text and
488 numbering of Code sections as contained in the 2014 supplements to the Official Code of
489 Georgia Annotated published under authority of the state in 2014 by LEXIS Publishing, are
490 hereby reenacted.

491 (b) Annotations; editorial notes; Code Revision Commission notes; research references;
492 notes on law review articles; opinions of the Attorney General of Georgia; indexes; analyses;
493 title, chapter, article, part, and subpart captions or headings, except as otherwise provided in
494 the Code; catchlines of Code sections or portions thereof, except as otherwise provided in
495 the Code; and rules and regulations of state agencies, departments, boards, commissions, or
496 other entities which are contained in the Official Code of Georgia Annotated are not enacted
497 as statutes by the provisions of this Act. Material which has been added in brackets or
498 parentheses and editorial, delayed effective date, effect of amendment, or other similar notes
499 within the text of a Code section by the editorial staff of the publisher in order to explain or
500 to prevent a misapprehension concerning the contents of the Code section and which is
501 explained in an editorial note is not enacted by the provisions of this section and shall not be
502 considered a part of any statutes.

503 (c) The reenactment of the statutory portion of the Official Code of Georgia Annotated by
504 subsection (a) of this section shall not affect, supersede, or repeal any Act of the General
505 Assembly, or portion thereof, which is not contained in the Official Code of Georgia
506 Annotated and which was not repealed by Code Section 1-1-10, specifically including those
507 Acts which have not yet been included in the text of the Official Code of Georgia Annotated
508 because of effective dates which extend beyond the effective date of the Code or the
509 publication date of the Code or its supplements.

510 (d) The provisions contained in Sections 1 through 53 of this Act and in the other Acts
511 enacted at the 2015 regular session of the General Assembly of Georgia shall supersede the
512 provisions of the Official Code of Georgia Annotated ratified and reenacted by subsection (a)
513 of this section.

514 (e) In the event of a conflict between a provision in Sections 1 through 53 of this Act and
515 a provision of another Act enacted at the 2015 regular session of the General Assembly, the
516 provision of such other Act shall control over the conflicting provision in Sections 1
517 through 53 of this Act to the extent of the conflict.

518 **SECTION 55.**

519 This Act shall become effective upon its approval by the Governor or upon its becoming law
520 without such approval.

521

SECTION 56.

522 All laws and parts of laws in conflict with this Act are repealed.